

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

EVERYTOWN FOR GUN SAFETY
ACTION FUND, INC.,

Plaintiff,

v.

DEFCAD, INC.; ODYSEE USER
XYEEZYSZN; DEFCAD USER
XYEEZYSZN; ODYSEE USER
THEGATALOG-PRINTABLEMAGAZINES;
THE GATALOG; DEFCAD USER
FREEMAN1337; TWITTER USER
XYEEZYSZN; PHILLIP ROYSTER.

Defendants.

Civil Action No. 21-cv-08704-
PGG

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE AND WITHOUT
FEES OR COSTS AS TO EITHER PARTY**

Plaintiff Everytown for Gun Safety Action Fund, Inc. (“Everytown”), and Defendants Phillip Royster, Odysee User xYeezySZN, Defcad User xYeezySZN, and Twitter User xYeezySZN (“Royster Defendants”) hereby stipulate as follows:

1. Everytown and the Royster Defendants have reached a settlement of the above-captioned action, and as a condition of their settlement, the Parties have agreed to the entry of a Stipulated Order.
2. This Court entered the Stipulated Order on March 8, 2023 [DKT. 151].
3. Everytown now agrees to dismiss its claims against the Royster Defendants with prejudice.

Therefore, Everytown and the Royster Defendants stipulate and agree that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Everytown voluntarily dismisses its claims against the Royster Defendants with prejudice. Everytown and the Royster Defendants waive any right to recover attorneys' fees or costs from each other in connection with the above-captioned action upon dismissal.

All parties who have appeared in this action on behalf of Everytown or the Royster Defendants have signed this stipulation below, by themselves or through their respective attorneys of record.

Respectfully submitted,

Dated: March 16, 2023

EVERYTOWN FOR GUN SAFETY ACTION
FUND, INC.

By: 

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*Attorneys for Plaintiff Everytown for Gun Safety
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Dated: March 16, 2023

PHILLIP ROYSTER, DEFCAD USER
XYEEZYSZN; ODYSEE USER XYEEZYSZN;
and TWITTER USER XYEEZYSZN

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